

REMARKS

These remarks and the accompanying amendments are responsive to the Office Action made final and dated March 9, 2006 (hereinafter referred to as the "Office Action"). At the time of the last examination, Claim(s) 3, 4, 7, 9-13, 38, 39, 43, 44, 50, 51, 56-66 were pending, of which Claims 3, 7 and 9-13 are independent. Claims 3, 9, 10, 12 and 60 are amended herein.

Section 3 of the Office Action rejects Claims 3, 9, 10 and 60 under 35 U.S.C. 112, second paragraph, as being indefinite. In particular, the use of the term "prior" was deemed indefinite. Claims 3, 9, 10 and 60 are amended herein to clarify this term.

Section 6 of the Office Action rejects Claims 9, 12, 50, 51 and 60-64 under 35 U.S.C. 103(a) as being unpatentable over a non-patent literature document cited as document number 2 in the IDS filed June 2, 2005 (hereinafter referred to as "Watanabe").

Watanabe discloses a method for allocating a spreading code to a base station in a CDMA system. According to this method, a plurality of neighboring base stations are grouped to allocate the same spreading code to base stations in the same group; and the spreading code is set such that a transmission phase of the spreading code varies depending upon the base station in the group. It is true that when the spreading code is read as the identifier of the 9 and 12, Watanabe does read on some aspects of the recitation of Claim 9 and 12.

However, in order to implement the invention of Watanabe, it is essential that the base stations in the group be in synchronization with each other. In contrast, the present invention recited in Claims 9 and 12 can dispense with synchronization between the base stations. In a CDMA system in which base stations operate asynchronously, neighboring base stations must use individually different spreading codes. In order to facilitate identification of the spreading code in a mobile station, it is necessary to limit the number of types of spreading codes.

However, when the number of types of spreading code is excessively reduced, base stations using the same spreading code are present adjacent to each other, so that interference therebetween becomes unavoidable. Accordingly, it is necessary to provide a sufficient number of types of spreading codes. However, when the spreading code is arbitrarily allocated to each base station (sector) without any rules, there arises a need to explore every possibility of identification of the spreading code when a mobile station searches a neighboring cell, so that the search for a neighboring cell requires much time and power.

The present invention is directed to solving such problem with an asynchronous system. That is, the mobile communications system of the present invention assigns channel identifiers belonging to a same group to the sectors in a same base station. When the mobile station searches a neighboring cell, the mobile station first searches other channel identifiers in a same group as the received channel identifier belongs to. This search is performed in priority to search channel identifiers in the other groups. The spreading code is allocated to each base station with predetermined rules, in the result, time and power of the search for a neighboring cell is reduced in spite of the asynchronous system. Accordingly, the mobile communications system of the present invention differs from a synchronous system of Watanabe et al. Thus, the present invention is inventive over Watanabe.

Accordingly, reconsideration of the rejections of the claims is respectfully requested. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 9th day of August, 2006.

Respectfully submitted,

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